

David O'Mara (Nev. bar #8599)
 The O'Mara Law Firm, P.C.
 311 E. Liberty Street
 Reno, NV 89501
 Telephone: 775/323-1321
 David@omaralaw.net
Local Counsel for Plaintiffs

James Bopp, Jr. (Ind. bar #2838-84)*
 jbooppjr@aol.com

Richard E. Coleson (Ind. bar #11527-70)*
 rcoleson@bopplaw.com

Corrine L. Youngs (Ind. bar #32725-49)*
 cyoungs@bopplaw.com

Amanda L. Narog (Ind. bar #35118-84)*
 anarog@bopplaw.com

True the Vote, Inc.
 Voters' Rights Initiative
 The Bopp Law Firm, PC
 1 South Sixth St.
 Terre Haute, IN 47807-3510
 Telephone: 812/877-4745
 *Appearing Pro hac vice
Lead Counsel for Plaintiffs

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

Stanley William Paher et al., Plaintiffs

v.

Barbara Cegavske et al., Defendants

Case No.: 3:20-cv-00243

**Plaintiffs' First Motion to Extend
 Time to Respond to Motions to
 Dismiss Amended Complaint**

(First Request)

This is Plaintiffs' first motion to extend time to respond to all current motions to dismiss ECF No. 64 (Amended Verified Complaint for Declaratory and Injunctive Relief), and Plaintiffs seek an extension until **July 3, 2020** to file oppositions to all dismissal motions. The filing due dates for oppositions to the current dismissal motions are as follows (as listed on the docket):

<i>Motions</i>	<i>Filing Due Date for Oppositions (all 2020)</i>
----------------	---

- | | |
|---|--------|
| • ECF No. 71 (Intervenor Defendants' Motion to Dismiss Plaintiffs' Amended Complaint). | June 2 |
| • ECF No. 73 (Washoe County Registrar of Voters' Joinder in Intervenor-Defendants' Motion to Dismiss Amended Complaint (ECF #71)) | June 2 |
| • ECF No. 76 (Opposition of Defendant Joseph P. Gloria to Second Motion for Preliminary Injunction and Joinder to Motion to Dismiss Filed by Defendants | |

1 [now moot] and Intervenor-Defendants) June 2

- 2 • ECF No. 77 (Nevada Secretary of State's Consolidated Motion to Dismiss
3 and Opposition to Plaintiffs' Second Motion for Preliminary Injunction) June 3


4 For the reasons set forth in the following Memorandum, Plaintiffs request that they be granted
5 until **July 3, 2020** to respond to the foregoing dismissal motions.

6
7 May 26, 2020

Respectfully submitted,

8 /s/ Amanda L. Narog
9 Amanda L. Narog (Ind. bar #35118-84)*
10 *Lead Counsel for Plaintiffs*
11 *Appearing Pro Hac Vice

12
13
14 IT IS SO ORDERED:

15
16
17 
18 Hon. Miranda M. Du
19 Chief United States District Judge

20
21 DATED: 6/1/2020
22
23
24
25
26
27
28

Memorandum of Points and Authorities

In the Motion above, Plaintiffs seek until July 3, 2020 to file their oppositions the listed dismissal motions. As stated in the docket, those oppositions are due on June 2 and 3. *See* Docket Nos. 71 and 77 (entries stating filing due dates).¹

Plaintiffs require the requested extension for at least four reasons. First, the dismissal motions were filed on May 19 (ECF No. 71) and May 20 (ECF No. 77), as Plaintiffs were rushing to meet a May 21 deadline to reply in support of Plaintiffs' Second Motion for Preliminary Injunction (ECF No. 65) to multiple briefs in opposition (ECF Nos. 72, 74, 75, 77). So some of the time to prepare an opposition to dismissal motions was consumed with responding to preliminary injunction oppositions.

Second, other pressing litigation has and will consume part of the time presently allowed for opposing the dismissal motions. For example, attorneys Bopp and Coleson (who will be drafting the dismissal oppositions at issue and drafted the preliminary injunction briefing recited above) had a preliminary-injunction opposition due Friday, May 22 in *Curtin v. Virginia State Board of Elections*, No. 1:20-cv-00546 (E.D. Va. compl. filed May 13, 2020). In that same case, a hearing is set for May 27, 2020 on that preliminary injunction hearing, the preparation for which likewise has precluded work on the present case. In addition, attorneys Bopp and Coleson have appellate briefs in reply to five appellate briefs that are due June 2 in *Indiana Family Institute v. City of Carmel*, No. 19A-MI-2991 (Ind. Ct. Appeals). Attorneys Corrine L. Youngs and Amanda L. Narog have an appellate brief in reply due May 29 in *The Bopp Law Firm v. Schock for Congress*, No. 19A-CC-02421 (Ind. Ct. Appeals). Attorneys Bopp and Narog have an appellate brief in response due June 1 in *Dimondstein v. Stidman*, No. 19-7161 (D.C.C.). Attorneys Bopp and Coleson are also preparing to file other cases in relation to elections happening in the near future and in November. The current press of these other cases requires that Plaintiffs have the re-

¹ The *Washoe* County Registrar joined Intervenor-Defendants' dismissal motion, ECF No. 73), so opposition to that joinder is due the same date as the opposition to Intervenor-Defendants' dismissal motion..

The *Clark* County Registrar joined a mooted Defendants' dismissal motion (ECF No. 62) and Intervenor-Defendants dismissal motion, ECF No. 75, so opposition to that joinder is due the same date as the opposition to Intervenor-Defendants' dismissal motion.

1 requested extension so their counsel has an opportunity to do their briefing justice and assist this
2 Court with their best arguments.

3 Third, Defendants have filed two dismissal motions that incorporate further briefing so that
4 additional time is needed for Plaintiffs' counsel to consider and respond to a great deal of argu-
5 mentation. Intervenor-Defendants' dismissal brief is fifteen pages and references other briefing.
6 ECF No. 71. The Secretary of State's dismissal brief is ten pages and incorporates by reference
7 other briefing. ECF No. 77 at 3 n.1, 7 n.2. This volume of opposition briefing requires more time
8 for Plaintiffs' counsel to prepare appropriate opposition briefing than is currently allowed.

9 Fourth, dismissal motions are of course dispositive. It is one thing to deny a preliminary in-
10 junction, quite another to dismiss a whole case with prejudice as requested. Given this circum-
11 stance Plaintiffs' counsel should be given the adequate time they require and request to prepare
12 fully developed arguments in defense of their case.

13 Conclusion

14 For the reasons shown, Plaintiffs request that they be given the requested extension until
15 July 3 to file oppositions to the current dismissal motions.

16 May 26, 2020

17 David O'Mara (Nev. bar #8599)
18 The O'Mara Law Firm, P.C.
19 311 E. Liberty Street
20 Reno, NV 89501
21 Telephone: 775/323-1321
22 David@omaralaw.net
23 *Local Counsel for Plaintiffs*

Respectfully submitted,

/s/ Amanda L. Narog
James Bopp, Jr. (Ind. bar #2838-84)*
jboppjr@aol.com
Richard E. Coleson (Ind. bar #11527-70)*
rcoleson@bopplaw.com
Corrine L. Youngs (Ind. bar #32725-49)*
cyoungs@bopplaw.com
Amanda L. Narog (Ind. bar #35118-84)*
anarog@bopplaw.com
True the Vote, Inc.
Voters' Rights Initiative
The Bopp Law Firm, PC
1 South Sixth St.
Terre Haute, IN 47807-3510
Telephone: 812/877-4745
*Appearing Pro hac vice
Counsel for Plaintiffs

IT IS SO ORDERED:

Hon. Miranda M. Du
Chief United States District Judge

DATED: _____

Certificate of Service

I hereby certify on May 26, 2020, I served a true and correct copy of the foregoing on the following parties via this Court's CM/ECF electronic filing system to the addresses listed below.

Gregory Louis Zunino
Nevada State Attorney Generals Office
100 N Carson Street
Carson City, NV 89701
775-684-1137
Fax: 775-684-1108
Email: GZunino@ag.nv.gov

Courtney A. Elgart
Perkins Coie LLP
700 Thirteenth St, NW
Ste 800
Washington, DC 20005-3960
202 654 6200
celgart@perkinscoie.com

Craig A. Newby
Office of the Attorney General
100 N. Carson Street
Carson City, NV 89701
(775) 684-1206
Email: cnewby@ag.nv.gov

Daniel Bravo
Wolf, Rifkin, Shapiro, Schulman, & Rabkin, LLP
3556 E. Russell Road, 2nd Floor
Las Vegas, NV 89120-2234
702-341-5200
Fax: 702-341-5300
Email: dbravo@wrslawyers.com

Herbert B. Kaplan
One South Sierra Street
Reno, NV 89501
775-337-5700
Fax: 775-337-5732
Email: hkapan@da.washoecounty.us

Jonathan P. Hawley
Perkins Coie LLP
1201 Third Avenue
Ste 4900
Seattle, WA 98101-3099
206 359 8000
JHawley@perkinscoie.com

Abha Khanna
Perkins Coie LLP
1201 Third Avenue
Ste 4900
Seattle, WA 98101-3099
206 359 8000
akhanna@perkinscoie.com

Marc Erik Elias
Perkins Coie LLP
700 13th Street, NW., Ste. 600
Washington, DC 20005
202-654-6200
Email: melias@perkinscoie.com

Henry J. Brewster
Perkins Coie LLP
700 Thirteenth St, NW
Ste 800
Washington, DC 2005-3960
202 654 6200

Mary-Anne Miller, County Counsel
500 S. Grand Central Parkway
Las Vegas, NV 89106
Mary-Anne.Miller@ClarkCountyDA.com

Bradley Scott Schrager
Wolf, Rifkin, Shapiro, Schulman & Rabkin
3556 E. Russell Rd
Las Vegas, NV 89120
702-341-5200
Fax: 702-341-5300
Email: bschrager@wrslawyers.com

1
2 David O'Mara
3 311 E. Liberty Street
4 Reno, NV 89501
5 Telephone: 775/323-1321
6 David@omaralaw.net
7 *Local Counsel for Plaintiffs*

Respectfully submitted,

/s/Amanda Narog
James Bopp, Jr. (Ind. bar #2838-84)*
jboppjr@aol.com
Richard E. Coleson (Ind. bar #11527-70)*
rcoleson@bopplaww.com
Corrine L. Youngs (Ind. bar #32725-49)*
cyoungs@bopplaw.com
Amanda L. Narog (Ind. bar #36118-84)*
anarog@bopplaw.com
True the Vote, Inc.
Voters' Rights Initiative
The Bopp Law Firm, PC
1 South Sixth St.
Terre Haute, IN 47807-3510
Telephone: 812/877-4745
*Pro hac vice application pending
Counsel for Plaintiffs